

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>MEGAN D. DEVENPORT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 11-117-GPM</b>
	)	
<b>RICHARD D. STOKES and GARDA CL</b>	)	
<b>SOUTHWEST, INC.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**MURPHY, District Judge:**

This matter is before the Court sua sponte on the issue of federal subject matter jurisdiction. *See Foster v. Hill*, 497 F.3d 695, 696-97 (7th Cir. 2007) (“It is the responsibility of a court to make an independent evaluation of whether subject matter jurisdiction exists in every case.”); *Johnson v. Wattenbarger*, 361 F.3d 991, 992 (7th Cir. 2004) (a district court’s “first duty in every suit” is “to determine the existence of subject-matter jurisdiction”). Plaintiff filed her complaint in this Court on February 11, 2011, alleging that defendant Richard D. Stokes’s negligent operation of a truck he was driving—within the scope of his employment for defendant Garda CL Southwest, Inc. (“Garda”)—resulted in a collision that caused Plaintiff to incur “medical expense, experience pain, suffering, disfigurement, lost income and a loss of a normal life” (Doc. 2).

Plaintiff brings this action on the basis of diversity jurisdiction pursuant to 28 U.S.C. § 1332. However, while Plaintiff pleads her own citizenship, the corporate citizenship of Garda, and an amount in controversy exclusive of interest and costs that exceeds the value specified by 28 U.S.C.

§ 1332, Plaintiff fails to allege the citizenship of named defendant Richard D. Stokes. Complete diversity of citizenship is required to invoke this Court's jurisdiction under section 1332, and complete diversity cannot be established when Plaintiff fails to provide the citizenship of a named party. *See Fidelity & Deposit Co. of Md. v. City of Sheboygan Falls*, 713 F.2d 1261, 1264 (7th Cir. 1983) ("For a case to be within the diversity jurisdiction of the federal courts, diversity must be 'complete,' meaning that no plaintiff may be a citizen of the same state as any defendant").

Accordingly, it is hereby **ORDERED** that Plaintiff Megan D. Devenport shall file an amended complaint that corrects the defects in her pleading of the Court's subject matter jurisdiction in diversity. Specifically, Plaintiff must plead the citizenship of every named defendant. Plaintiff's amended complaint shall be filed not later than **February 22, 2011**.

**IT IS SO ORDERED.**

DATED: 2/11/2011

s/ *G. Patrick Murphy*  
G. PATRICK MURPHY  
United States District Judge